

JCJ

UNITED STATES DISTRICT COURT
for the
Eastern District of Pennsylvania

Soon Hee Han Woo

Plaintiff

v.

Korean Air

Defendant

Civil Action No.

3309

COMPLAINT

Parties.

1. Plaintiff is Soon Hee Han Woo, an individual whose date of birth is March 4, 1934 and who resides at 544 Manayunk Road, Merion Station, Montgomery County, Pennsylvania. 19066. Plaintiff is a citizen of Pennsylvania and the United States.
2. Defendant is Korean Air, a corporation for profit, organized in Seoul, Korea on or about March, 1969 and which is registered to do business in the United States, with a business mail address at 1813 Wilshire Blvd., 4th Floor, Los Angeles California 90057. Defendant, at all times material to Plaintiff's claim was in the business of carrying passengers for a fee, to and from various airports worldwide including airports in the United States.

Jurisdiction and Venue.

3. Jurisdiction in this Court is based upon diversity of citizenship. The amount in controversy exceeds the sum or value specified in by 28 U.S.C. sec 1332.
4. Venue lies in the Eastern District of Pennsylvania as defendant does business in this District including the sale to Plaintiff of the contract of airline carriage.


Claim.

5. On or about May 21st, 2009, Plaintiff having paid a fare to Defendant for airline carriage to Seoul, Korea with return to the United States, was instructed to report to the departure gate at its facility at JFK Airport, New York.

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6. Plaintiff was moved from the Korean Air check-in location to the departure gate by wheelchair, by Korean Air personnel in accordance with a long term established "guardian's service" policy of customer service.
7. At the time of Plaintiff's fall and relating injuries, the departure gate surrounding area was controlled by Korean Air's employees and agents, then and there working under Defendant's direct management and control, on its business and for its benefit.
8. The Korean Air's employees and agents summoned Plaintiff, who was seated in a Korean Air provided wheelchair, to stand and walk toward the departure gate door leading through a tunnel to the aircraft intended to carry plaintiff on her planned travel, and when attempting comply and to walk forward, Plaintiff was caused to trip and fall over other passengers' possessions strewn about the departure gate surrounding floor.
9. Notwithstanding that Plaintiff's seated position was obvious in the wheelchair, no employee came to assist her to move toward the departure gate door. Said avoidance was careless, negligent and in violation of Defendant's espoused established program of "Korean Air's Wheelchair Customer Service." and contributed to the injuries sustain by Plaintiff as hereinafter specified.
10. Solely as a result of the negligence and carelessness of Defendant, acting then and there through its employees and agents, as aforesaid, Plaintiff was caused to trip and fall landing on her left side and striking forcefully on the floor, resulting in severe bodily injuries and severe pain to her body and extremities, including left flank pain, contusion to her spleen, mid-lower spine, left ankle and compression fracture to T12 and other injuries all of which many be permanent painful injuries.
11. Solely as a result of the aforesaid event, and the fall experienced by Plaintiff, she was required to expend large and various sums for medical care and may be required to do expend sums for an undetermined time in the future, perhaps permanently.
12. Solely as a result of the aforesaid event, and the fall experienced by Plaintiff, she was deprived of the enjoyment of life's pleasures as a mother and and may be so deprived for an undetermined time in the future, perhaps permanently

WHEREFORE, Plaintiff claims judgment against Defendant and an award of damages for her injuries and losses.



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